

**Nathan Mitchler**

April 3, 2006

+1 202 663 6084 (t)  
+1 202 663 6363 (f)  
nathan.mitchler@wilmerhale.com

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: *Ex Parte* Notice in IB Docket No. 02-364**

Dear Ms. Dortch:

On March 31, 2006, Anthony J. Navarra (via teleconference), President, Globalstar, William F. Adler (via teleconference), Vice President-Legal & Regulatory Affairs, Globalstar, and Josh L. Roland, Counsel to Globalstar, met with John Giusti, Legal Advisor to Commissioner Michael J. Copps, and Bruce Gottlieb, Legal Advisor to Commissioner Michael J. Copps. The purpose of this meeting was to discuss Globalstar's comments filed in IB Docket No. 02-364. A copy of the materials distributed during the meeting is attached to this letter.

Pursuant to Sections 1.49(f) and 1.1206(b) of the Commission's rules, a copy of this notice has been filed electronically.

Respectfully Submitted,



Nathan Mitchler  
Counsel to Globalstar Inc.

cc (via email): John Giusti  
Bruce Gottlieb  
William F. Adler

# Globalstar, Inc.

March 31, 2006



## Globalstar Spectrum Use

- Globalstar has been providing service for more than 5 years and has successfully marketed its service to a number of markets, including: emergency response providers, commercial and pleasure ship companies, private aviation
- In the wake of Hurricanes Katrina and Rita, Globalstar's system remained operational, highlighting the importance of MSS
- Globalstar services are critical to homeland security, emergency preparedness, national defense and economic growth in rural and remote areas and along coastal waters
- Globalstar's system is a reliable infrastructure component independent of terrestrial networks
- Globalstar received ATC authority in January and is aggressively developing its ATC services
- Globalstar is expanding its U.S. coverage with a new Gateway in Alaska, opening this Summer

# Globalstar Is Fully Utilizing Its Spectrum

- In 2004 the Commission required Globalstar to share approximately 8 MHz of its MSS spectrum in the S and L-bands (IB Docket 02-364)
- The Commission is now being asked to reduce Globalstar's spectrum allocation *yet again*, by imposing *additional* potential changes *in both the S-band and the L-band*
- The record before the FCC does not justify any further impairment of Globalstar's spectrum allocation
  - Would place Globalstar at a competitive disadvantage and significantly undermine its ability to serve emergency preparedness and national security customers
  - Would reduce Globalstar's ability to offer ATC services
  - Would effectively prevent offering priority services to NCS and other government agencies
- Without certainty as to its available spectrum, Globalstar cannot continue to grow its business and deploy the advanced technologies and services its customers require

## The Big LEO MSS Band – S-Band Sharing

- In its 2004 decision, the Commission required Globalstar to share a segment of its downlink spectrum with BRS operators in the S-band
  - 2496-2500 MHz (BRS 1) with 2495-2496 MHz as guardband
- This band represents vital capacity for Globalstar's services
- Some BRS interests now seek *exclusive* access to this spectrum – a result that would reduce Globalstar's available spectrum *even further* and significantly impair its ability to meet its customers' needs
- As the Commission correctly concluded, BRS and Globalstar can both use this spectrum
- As Globalstar has argued in the record, additional modest restrictions on BRS would greatly enhance utility of band segment for MSS

## The Big LEO MSS Band – L-Band Sharing

- In the same 2004 decision, the Commission also required Globalstar to share a segment of its assigned spectrum with Iridium in the L-band (1618-1621.35 MHz)
- Iridium, not having demonstrated that it efficiently uses its assigned spectrum, is asking the Commission to require *even more* L-band sharing
- Further sharing of Globalstar's L-band spectrum allocation is not justified by the record and not technically feasible
  - Iridium has not demonstrated a need for additional spectrum
  - Globalstar's U.S. government agency customers require priority restoration service that Globalstar cannot provide in shared spectrum
  - As Globalstar's business continues to grow, it is making more intensive use of its already limited and relatively encumbered spectrum
    - In order to share with Radio Astronomy, Globalstar requires unshared spectrum above 1615 MHz
    - Globalstar requires spectrum above 1616 MHz to provide its aviation services
    - Globalstar and its business partners are innovating rapidly - new products not based on standard phone require discrete blocks of spectrum
    - Further erosion of spectrum impairs Globalstar's ability to provide ATC services

# Globalstar Service Link Frequencies

